

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES CUSTOM HOUSE
ONE BOWLING GREEN, 6TH FLOOR
NEW YORK, NY 10004-1408

OFFICIAL BUSINESS

Dana H. Fox

1500A L

Portsmo

332

0380182072

US MAIL

DEC 16 2013

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

RC: 10004140801

*2145-02444-02-41

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

MOTORS LIQUIDATION COMPANY, *et al.*,
f/k/a General Motors Corp., *et al.*,

Debtors.

)
)
) Chapter 11
)
)
)

Case No. 09-50026

)
) Jointly Administered
)

ENDORSED ORDER

The GUC Trust need not respond.

The district court and Second Circuit have already addressed Mr. Fox's appeal from this Court's earlier rulings, and this Court cannot sit as a court of appeals with respect to either of their determinations. With respect to their decisions on appeal, there is no basis for this Court to grant any different or other relief.

Under the earlier orders of this Court, Mr. Fox's duplicate secured claim was disallowed and his remaining secured claim was reclassified as a general unsecured claim. The reclassified claim was later fixed and allowed as a general unsecured claim in the amount of \$19,500, representing the full amount of Mr. Fox's actual and permitted damages. Mr. Fox is entitled to the plan treatment under the Plan for that claim, but nothing more. Upon completion of the necessary steps as set out in the distribution package mailed to Mr. Fox and other Old GM creditors by Wilmington Trust, Mr. Fox would receive plan distributions in the same currency (*i.e.*, form) that all other general unsecured claimants of Old GM would receive theirs—mainly New GM stock and warrants.

The Court suggests, though it does not order, that Mr. Fox complete the necessary steps to receive his distribution under the Plan. As Mr. Fox noted in one of his many earlier filings (that of May 25, 2013, ECF #12443), he has filed "numerous motions" in this Court. While he is entitled to deference as a pro se claimant (and the Court has read his submissions, to determine whether, however he stated his claims, he had an entitlement to additional relief), his many pleadings show an entitlement to no more than that.

The GUC Trust is encouraged, but not ordered, to send Mr. Fox an additional distribution package to the address noted on his most recent motion to this Court, and to take any other steps the GUC Trust considers appropriate to assist Mr. Fox in receiving his distribution.

The Court has tried to write this order in plain English. It urges (though it does not order) Mr. Fox to take the offered plan distribution and bring this matter to an end.

Dated: New York, New York
November 27, 2013

s/ Robert E. Gerber
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT NEW YORK

DANA H. FOX, PRO-SE
PLAINTIFF

V.

MOTORS LIQUIDATORS FOR
GENERAL MOTORS, INC.
DEFENDANTS

CASE 09 B 50026 (REG) claim # 4287?
RETURNED FROM U.S. COURT OF APPEALS
IS THIS CORRECT?

ADDENDUM MOTION TO: COMPENSATORY DAMAGES
PLAINTIFFS MOTION FOR
PAYMENT IN TWO STAGES

DUE TO AN ERRONEOUS DECISION IN APPEALS COURT THAT ILLEGALLY
IGNORES CONSUMER PROTECTION LAWS IN THE UNITED STATES
MR. FOX, PRO-SE FILED A MOTION, AS JURISDICTION IS RETURNED
TO THIS COURT BY APPEALS COURT, TO ADD COMPENSATORY DAMAGES
TO THE COURT ORDERED PAYMENT OF \$19,500.- THAT THE
COURT HAS AWARDED MR. FOX PRO-SE; THIS IS IN THE COURT RECORD.

THERE IS NO OBJECTION FROM OPPOSING COUNSEL AND
SEVERAL MONTHS HAVE PASSED SINCE THE MOTION IS IN THE
COURT RECORD.

MR. FOX, PRO-SE MOTIONS THAT THE INITIAL AWARD OF
\$19,500.- BE PAID TO MR FOX, BY CHECK, MAILED TO
955 MASS. AVE, #155, CAMBRIDGE, MASS. 02139: PLAINTIFF NEEDS
TO CATCH UP ON MEDICAL, DENTAL AND CAR REPAIRS [IT NEVER
ENDS].

AS THE COURT SEES FIT TO AWARD COMPENSATORY DAMAGES
AT THE MAXIMUM ALLOWED BY LAW; THAT PAYMENT CAN BE
MADE AT A LATER DATE; AS PLAINTIFF PRO-SE HAS MOTIONED
FOR THIS AND HERE-IN AGAIN, WITH NO PREVIOUS
OBJECTION.

PLAINTIFF WILL SIGN A RELEASE FOR THE AUTOMOBILE PAYMENT
OF \$19,500.-, AND FOR THAT PAYMENT ONLY; OTHER PAYMENTS
PENDING WILL BE RELEASED AT TIME OF RECEIPT.

I CERTIFY THAT A TRUE COPY
IS SERVED BY U.S. MAIL ON
THIS DATE 11/19/13
TO: WEIL, GOTTHAL & CHANDEL
ATT. JOSEPH SMOLINSKY
FOR DISTRIBUTION TO ALL
PARTIES.

RESPECTFULLY SUBMITTED
D.H. Fox PRO SE
DANA H. FOX

ADDENDUM MOTION

WHAT HAPPENED TO ALL THE FAULT SALARIES, AIRFARES, BOATS AND REAL ESTATE
THAT CAUSED THIS ALLEGED BANKRUPTCY? MOTION TO ATTACH ALL OF IT
FOR PAYMENT OF DAMAGES AWARD. D.H.-2

MIME-Version:1.0
From:nysbinfo@nysb.uscourts.gov
To:courtmail@localhost.localdomain
Cc:BNLPC@aol.com, Barry.Kazan@ThompsonHine.com, Docketing@mintz.com, Ferrell@taftlaw.com, JBerlage@GHSLLP.com, James.Newbold@illinois.gov, Joseph.Smol
Do not notice for BK case: alevitt@gelaw.com, cnevers@gelaw.com
Message-Id:<13157585@nysb.uscourts.gov>
Subject:09-50026-reg Memorandum Endorsed Order

Content-Type: text/html

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30-page limit do not apply.

U.S. Bankruptcy Court

Southern District of New York

Notice of Electronic Filing

The following transaction was received from Blum, Helene entered on 12/2/2013 at 10:38 AM and filed on 12/2/2013

Case Name: Motors Liquidation Company

Case Number: 09-50026-reg

Document Number: 12556

Docket Text:

Endorsed Order signed on 12/2/2013 re: Addendum Motion to Compensatory Damages. (related document(s)[12555]) (Blum, Helene)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:GM Fox Endorsed Order.pdf

Electronic document Stamp:

[STAMP NYSBStamp_ID=842906028 [Date=12/2/2013] [FileNumber=13157583-0]
[8bee7be00f30ce453c6b05527b63b9ef64c5d33610cee4697b4d0357dfdc607a9aa
058f2ed1b5425e17c99d8d174f4f23d26bc7aadce37a169e8e193c8af123]]

09-50026-reg Notice will be electronically mailed to:

David G. Aelvoet on behalf of Creditor Bexar County
sanantonio.bankruptcy@publicans.com

Jonathan Bradley Alter on behalf of Unknown Travelers Casualty and Surety Company of America
jonathan.alter@bingham.com

John T. Banks on behalf of Unknown Hidalgo County
jbanks@pbfc.com

Donald F. Baty, Jr. on behalf of Debtor Motors Liquidation Company
dbaty@honigman.com

Leonora K. Baughman on behalf of Creditor City of Detroit
ecf@kaalaw.com

Matthew K. Beatman on behalf of Unknown Westfalia-Automotive GMBH
mbeatman@zeislaw.com

Shaya M. Berger on behalf of Unknown Motors Liquidation Company GUC Trust
bergers@dicksteinshapiro.com, nybankruptcydocketing@dicksteinshapiro.com

Jan I. Berlage on behalf of Creditor Harold Martin
JBerlage@GHSLLP.com

David R. Berz on behalf of Debtor Motors Liquidation Company
gregory.bailey@weil.com

Steven M. Bierman on behalf of Unknown WELLS FARGO BANK, N.A.
sbierman@sidley.com, emalin@sidley.com, emcdonnell@sidley.com

Kevin Blaney on behalf of Attorney Kevin Blaney
kblaney@kevinblaney.com, bmorehead@kevinblaney.com

Steven Harris Blatt on behalf of Unknown Mount Kisco Chevrolet Cadillac Hummer, Inc.
sblatt@dealerlaw.com

Eric Alwin Boden on behalf of Creditor Ad Hoc Committee of Consumer Victims of General Motors
eboden@schnader.com, tclancy@schnader.com

Phillip W. Bohl on behalf of Creditor Willette Acquisition Corp., a/k/a Digital Technologies and Allied Vaughn
phillip.bohl@gpmlaw.com

Kirk L. Brett on behalf of Defendant Credit Suisse AG